

REMARKS

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

Claims 15-18, 20-26, 28-30, 32 and 33 of this application are rejected under 35 U.S.C. § 112, first paragraph, for the reasons noted in the official action. The failure to comply with the written description requirement is acknowledged and respectfully traversed in view of the following remarks.

In particular, the Examiner indicates that the independent claims each include the limitation of "a combined axial length of the distal region, the central region and the proximal region is longer than an axial length of the section" while the specification does not contain support for such limitation, as claimed. In response, each one of the independent claims is suitably revised to delete such limitations so that all of the pending claims are now consistent with and fairly based upon the originally filed specification, thereby overcoming the raised objection concerning the failure to comply with the written description requirement. In view of such amendment, the Applicant respectfully submits that the raised 35 U.S.C. § 112, first paragraph, rejections should be withdrawn at this time.

Next, Claims 15, 18, 23-24 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Senia et al. '565 (U.S. Publication No. 2002/018256); claim 16 is rejected, under 35 U.S.C. § 103(a), as being unpatentable in view of Senia '565 and further in view of Berlin '202 (U.S. Patent No. 5,876,202); and claim 17 is rejected, under 35 U.S.C. § 103(a), as being unpatentable over Senia '565 in view of Johnson '209 (U.S. Patent No. 6,074,209); while claims 20-22 are rejected, under 35 U.S.C. § 103(a) as being unpatentable over Senia '656 and in further view of Corneo '640 (CH 513,640). The Applicant acknowledges and respectfully traverses all of the raised obviousness rejections in view of the above amendments and the following remarks.

The Applicant thanks the Examiner for indicating that claims 25, 26, 28-30, 32 and 33 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim(s). In accordance with this indication, claim 15 is appropriately revised to incorporate the allowable subject matter of claim 25 while claims 26 and 28 are both amended to be independent claims. As claims 16-18 and 20-24 each depend from amended independent claim 15, all of the those dependent claims are believed to be allowable as well.

In addition, independent claims 29 and 30, as noted above, are both suitably revised to address the failure to comply with the written description requirement. Since no prior art was applied with respect to independent claims 29 and 30, it is respectfully submitted that both of those claims, as well as claims 32 and 33 which are respectively dependent thereon, are now allowable over the art of record in this case.

In view of the above claim cancellation and claim amendments, the Applicant respectfully submits that further comments concerning the applied prior art of Senia et al. '565, Berlin '202, Johnson '209 and/or Corneo '640 is no longer believed necessary. The Applicant also notes the remaining prior art cited in the official action. As none of that additional art is applied by the Examiner against the claims of this application, the Applicant is not providing any comments concerning that art as well.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Senia et al. '565, Berlin '202, Johnson '209 and/or Corneo '640 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

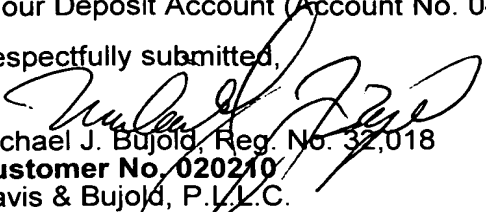
In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

10/554,148

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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